

**In the United States District Court  
for the Southern District of Georgia  
Brunswick Division**

BOBBY EDWARDS,

Petitioner,

v.

WARDEN JEFFRY FIKES,

Respondent.

2:23-cv-39

**ORDER**

Petitioner Bobby Edwards ("Edwards") filed "Objections" and a Motion for Reconsideration. Dkt. No. 21. For the reasons which follow, the Court **OVERRULES** Edwards's Objections and **DENIES** his Motion.<sup>1</sup> The Court's January 25, 2024 Order remains the Order of the Court, and this case remains **CLOSED**. Dkt. Nos. 17, 18.

A motion for reconsideration, or a Federal Rule of Civil Procedure 59(e) motion, is "an extraordinary remedy, to be employed sparingly." Smith ex rel. Smith v. Augusta-Richmond County, No. CV 110-126, 2012 WL 1355575, at \*1 (S.D. Ga. Apr. 18, 2012)

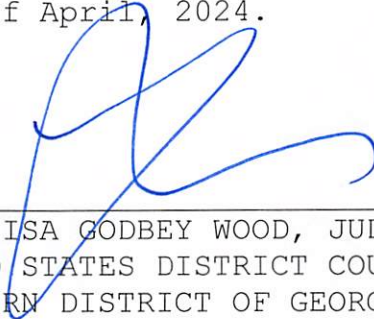
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<sup>1</sup> Edwards's filing does not contain any Objections to the Report and Recommendation. Dkt. No. 21. As discussed in this Order, Edwards presents the same arguments in the instant filing as he did in response to the motion to dismiss.

(internal citation omitted). "A movant must set forth facts or law of a strongly convincing nature to induce the court to reverse its prior decision." Id. (internal citation omitted). "The only grounds for granting a Rule 59 motion are newly[]discovered evidence or manifest errors of law or fact." Jacobs v. Tempur-Pedic Intern., Inc., 626 F.3d 1327, 1344 (11th Cir. 2010) (quoting In re Kellogg, 197 F.3d 1116, 1119 (11th Cir. 1999) (internal punctuation omitted)). "A Rule 59(e) motion cannot be used to relitigate old matters, raise argument or present evidence that could have been raised prior to the entry of judgment." Id. (quoting Michael Linet, Inc. v. Village of Wellington, 408 F.3d 757, 763 (11th Cir. 2005) (alterations omitted)).

The Court discerns no reason to grant Edwards's Motion. He fails to present any newly discovered evidence in support of his requested relief or any grounds revealing this Court's previously entered Order represents a manifest error of law or fact. In fact, Edwards sets forth essentially the same assertions as he did in opposition to the motion to dismiss. Compare Dkt. No. 21 with Dkt. No. 13. The Court already considered and rejected Edwards's arguments. Dkt. Nos. 16, 17. Accordingly, the Court **DENIES** Edwards's Motion for Reconsideration and **OVERRULES** Edwards's "Objections" to the Report and Recommendation. The Court's January 25, 2024 Order remains the Order of the Court, and this case remains **CLOSED**.

SO ORDERED, this 17 day of April, 2024.



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HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA